

REMARKS

After entry of the above amendments, claims 7-14 will be pending in the present application. New claims 7-14 have been added. Support for the new claims can be found, for instance, in the claims as originally filed and in the specification. Claims 1-6 have been cancelled. Applicant reserves the right to pursue any cancelled claim in a continuation application. No new matter has been added.

Claim Objections

Previously pending claim 6 was objected to under 37 CFR § 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Since claim 6 is now cancelled, withdrawal of the objection is respectfully requested.

§ 102 / § 103 Rejections

Previously pending claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,991,875 to Paul. Previously pending claims 2-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Paul in view of U.S. Patent No. 6,961,791 to Cepulis.

Paul is directed to “a portable, configuration card that stores software in memory, which, upon insertion into an audiovisual device, enables a processor in the device to configure the device in accordance with the user’s configuration preferences” (col. 1, lns. 5-9 of Paul). Cepulis is directed to “configuring add-in cards and devices using a centralized, integrated configuration process” (col. 1, lns. 20-21 of Cepulis).

Neither Paul nor Cepulis, disclose, teach, or suggest “wherein the configuration mechanism allows a system administrator to manage the computer system remotely, independent of an on or off status of the computer system,” as recited in claim 7. Therefore, even if Paul were combined with Cepulis, the combination would neither teach nor suggest all of the elements of claim 7.

Accordingly, based at least on the reasons above, Applicant respectfully submits that claim 7, and the claims that depend therefrom, are patentable over Paul in view of Cepulis.

Double Patenting Rejections

Applicant wishes to thank the Examiner for speaking with the Applicant’s attorney on several occasions regarding the provisional double patenting rejections.

Previously pending claims 1-6 were provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 4 and 6-8 of U.S. Patent Application No. 10/748,431, claims 1-2 and 4-5 of U.S. Patent Application No. 10/748,630, and claims 6 and 8-12 of U.S. Patent Application No. 10/748,898.

Claims 4 and 6-8 of U.S. Patent Application No. 10/748,431 were cancelled from the application, which has since issued as U.S. Patent No. 7,107,443.

New claims 7-14 recite “wherein the configuration mechanism allows a system administrator to manage the computer system remotely, independent of an on or off status of the computer system,” which makes them patentably distinct from claims 1-2 and 4-5 of U.S. Patent Application No. 10/748,630.

A terminal disclaimer is being filed herewith with respect to commonly-owned U.S. Patent Application No. 10/748,898.

Accordingly, based at least on the reasons above, Applicant respectfully submits that the provisional double-patenting rejections have been overcome.

CONCLUSION

On the basis of the above remarks, reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,
SAWYER LAW GROUP LLP

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